

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

Public Services – A.P.Civil Services (Executive Branch) Rules, 1992 – Promotion of Sri A.Venkata Rao, Tahsildar, as Deputy Collector as per seniority – adhoc Promotion - Accorded - Orders – Issued.

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**REVENUE (SER.I) DEPARTMENT**

G.O. Ms. No. 480

Dated:27.08.2013.

Read the following :-

- 1.G.O.Ms.No.677, Revenue (Ser-I) Department, dated:07.12.2012.
- 2.G.O.Ms.No.21, Revenue (Ser-I) Department dated 10.01.2013
- 3.G.O.Ms.No.22, Revenue (Ser-I) Department dated 10.01.2013
- 4.G.O.Ms.No.90, Revenue (Ser-I) Department dated 11.02.2013
- 5.G.O.Ms.No.91, Revenue (Ser-I) Department dated 11.02.2013
- 6.G.O.Ms.No.164, Revenue (Ser-I) Department dated 02.04.2013
- 7.G.O.Ms.No.165, Revenue (Ser-I) Department dated 02.04.2013
- 8.G.O.Ms.No.170, Revenue (Ser-I) Department dated 04.04.2013
- 9.G.O.Ms.No.171, Revenue (Ser-I) Department dated 04.04.2013
- 10.G.O.Ms.No.172, Revenue (Ser-I) Department dated 04.04.2013
- 11.G.O.Ms.No.173, Revenue (Ser-I) Department, dated:04.04.2013.
- 12.G.O.Ms.No.194, Revenue (Ser-I) Department, dated:16.04.2013.
- 13.From the Hon'ble APAT, Hyderabad interim orders dated 15.11.2012 in OA No.8905/2012 along with affidavit
- 14.Govt., Memo No.49976/Ser-I(1)/2012-1, Rev (Ser-I) Dept., dated:06.12.2012.
- 15.From the Spl.CS&CCLA, A.P., Hyderabad Lr.D1/2522/2012 dated 15.04.2013
- 16.Govt., Memo No.49976/Ser-I(1)/2012-2, Rev (Ser-I) Dept., dated:20.05.2013
- 17.From the Spl.CS&CCLA, A.P., Hyderabad Lr.D1/2522/2012 dated 30.07.2013

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**ORDER :**

In the reference 1<sup>st</sup> to 12<sup>th</sup> read above, Government have accorded adhoc promotions to the Tahsildars including Section Officers and Superintendents to the category of Deputy Collector in the panel year 2012-13, basing on the seniority list proposed by Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad. But, the name of Sri A.Venkata Rao has been included and deferred due to pending of ACB case against the individual, in the panel of Deputy Collectors for the year 2012-13 against the roster point No.9, at Sl.No.36.

2. Sri A.Venkata Rao, Tahsildar, Deputy Executive Officer Arogya Sri, Health Care Trust, Hyderabad has filed O.A.No.8905/2012 and the Hon'ble Tribunal in its interim orders dated 15.11.2012, held that pending disposal of the O.A., there shall be an interim direction to the respondents to consider the case of the applicant for promotion to the post of Deputy Collector as no Charge Memo was issued to him in pursuance of G.O Rt.No.1564 dated 10.11.2010 and if no other charges are pending against him vide reference 13<sup>th</sup> read above.

3. In the reference 15<sup>th</sup> read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, has furnished the minutes of the Departmental Promotion Committee (review) dated 04.04.2013 in respect of Sri A.Venkat Rao, Tahsildar, East Godavari District presently under deputation as Deputy Executive Officer, Arogya Sri, Health care trust, Hyderabad for taking further action in the matter. In the minutes of the Review Departmental Promotion Committee held on 04.04.2013, the Committee has reviewed the DPC minutes which was held on 17.11.2012 of the Deputy Collectors for the panel year 2012-13 and the name of Sri A.Venkata Rao, Tahsildar, whose name earlier has considered and deferred due to ACB case, has been recommended and included against the roster point 9 at Sl.No.36 in the panel of Deputy Collectors for the year 2012-13.

**(P.T.O)**

4. In the reference 15<sup>th</sup> read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the name of Sri A.Venkat Rao, Tahsildar was recommended on the ground that no charge sheet was filed and no charge memos were issued to the individual as on date. The ACB trap was laid in 2010, even after 3 years, Article of charges were not framed. The Hon'ble Tribunal has also directed to consider the case of the individual and promote the individual along with others for promotion to the post of Deputy Collector, since no charge memo was issued to the applicant and no charge sheet was filed against him, by the ACB authorities till today. Finally, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has recommended to consider the promotion of Sri A.Venkat Rao, Tahsildar, East Godavari District to the post of Deputy Collector, subject to outcome of the ACB case and requested to issue necessary orders in the matter.

6. The provisions of Rule 5 of the A.P.State & Subordinate Service Rules, 1996 is as follows :-

***“SELECTION POSTS : (a) All first appointments to a State Service and all promotions / appointment by transfer in that service shall be made on grounds on merit and ability, seniority being considered only where merit and ability are approximately equal, by the appointing authority as specified in sub-rule (a) of rule 6 from the panel of candidates. Such panel shall be prepared as laid down in rule 6 by the appointing authority or any other authority empowered in this behalf.”***

Keeping in view of the above rule position, all promotions to the State services shall be made after approval of the DPC proceedings. The advisory Department has also advised to consider the case of the applicant for promotion to the post of Deputy Collectors as directed by the APAT in O.A.No.8905/2012 dated 15.11.2012.

7. Accordingly, Government have examined the issue in detail and decided to accord temporary promotion to Sri A.Venkata Rao, Tahsildar to the category of Deputy Collector for the panel 2012-13 as per seniority, subject to out come of the ACB case and disciplinary proceedings pending against him and also all court cases pending in different courts.

8. The Government after careful examination, the adhoc promotion accorded to Sri A.Venkata Rao, Tahsildar, as recommended by the Special Chief Secretary and Chief Commissioner of Land Administration, A.P., Hyderabad and keeping in view of the interim orders dated 15.11.2012 in O.A.No.8905/2012, is hereby considered in the cadre of Deputy Collector for the panel year 2012-13 basing on the seniority list, subject to out come of the ACB disciplinary proceedings pending against him and also final orders in O.A.No.8905/2012 and all court cases pending in different courts baring on promotions to the cadre of Deputy Collector.

9. The promotion and posting orders to the individuals will be issued separately.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**B.R.MEENA  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Spl.CS & Chief Commissioner of Land Administration, Hyderabad.  
SF/SC.

**// FORWARDED BY ORDER //**

**SECTION OFFICER**